

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN RAGO,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:22-cv-01482-JMG
	:	
TRIFECTA TECHNOLOGIES, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 25th day of July, 2022, after careful consideration of Plaintiff's Motion to Dismiss (ECF No. 7), Defendants' response thereto (ECF No. 8), and for the reasons provided in the accompanying Memorandum Opinion, it is **HEREBY ORDERED** that Plaintiff's Motion (ECF No. 7) is **GRANTED in part and DENIED in part** as follows:

1. Count II of Defendants' Counterclaim (ECF No. 5) is **DISMISSED without prejudice**.
2. Within twenty (20) days of the date of this Order, Defendants may, consistent with the Memorandum Opinion, file an amended pleading reasserting their counterclaims with additional factual allegations to support Count II. If Defendants fail to timely file an amended pleading, the case will proceed on Count I of the Counterclaim.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge